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Appln. No. 10/622,946

Amendment dated November 10, 2005

Reply to Office Action mailed August 10, 2005

**REMARKS**

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

Claims 7 and 8 remain in this application. Claims 1 through 6 have been cancelled. No claims have been withdrawn or added.

Claims 1 through 8 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Parham in view of Johnson.

Claim 7 as previously presented requires "said periphery wall having a height extending above said top surface of said body member such that a depth of said recessed space is uniform along a length of said recessed space to allow said periphery wall to extend around a portion of the water bottle when the water bottle is positioned in said recessed spaced".

It is alleged in the rejection of the Office Action that the Johnson patent discloses this requirement of claim 7. However, it is noted that the Johnson patent shows a "semi circular-shaped notch 15" that extends through the front wall 3 of the rack, and thus the Johnson patent does not disclose "a depth of said recessed space is uniform along a length of said recessed space", as the depth is not uniform at the front wall at the location of the notch 15. This is not only in contrast to the claim language, but also the disclosure of the patent application, as can be seen in the drawings, especially Figure 3, which shows the arcuate cut out that does not extend all of the way through the wall, and only extends a portion of the way into the wall.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Parham and Johnson set forth in the

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rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 7. Further, claim 8, which depend from claim 7, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claims 8 and 9 is therefore respectfully requested.

### CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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